

until he receives it before making a decision about Yucca Mountain. The President has the responsibility and the authority to fulfill the promise he made to this Nation as a candidate regarding nuclear waste.

I urge President Bush to exercise that authority and show the Nation he is a man of his word. We are depending on him.

Mr. President, this visual aid represents the proposed routes that trucks and trains would travel to Nevada carrying 70,000 tons of toxic material. One hundred thousand truckloads of nuclear waste will be hauled on these roads. And 20,000 trainloads of nuclear waste will be hauled along the railways we see here on this map.

The Department of Energy has refused to do an environmental impact statement assessing the effects of transporting all of this deadly material. Why? Because they cannot explain how it would be possible to safely haul 70,000 tons of nuclear waste over the highways and railways of this country.

Since September 11, we know that terrorists are waiting for targets of opportunity. We know now not only that they are waiting for targets of opportunity but also that they are capable of hitting their targets. The tragic events of September 11 demonstrated that in such a dramatic fashion. It would be reckless and dangerous to provide terrorists with more than a hundred thousand additional targets, which the trucks and trains carrying nuclear waste would become.

So, Mr. President, I say to you, and the rest of America, we are depending on the President of the United States, George W. Bush, to be a man of his word and not allow nuclear waste to travel across this country until there is sound science. There is not sound science, as separate reports prepared by the General Accounting Office, the Inspector General of the Department of Energy, and, of course, also by the Nuclear Waste Technical Review Board all make clear.

The President should wait until he has credible evidence and a sound scientific basis to support a plan for storing nuclear waste at Yucca Mountain and allowing it to travel across the country.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed

to executive session to consider Calendar Nos. 671, 672, 675, and 697; that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, statements relating to the nominations be printed in the RECORD, and the Senate then return to legislative session.

Mr. President, this applies to David Bunning, to be United States District Judge; James Gritzner, to be United States District Judge; Richard Leon, to be United States District Judge; and Nancy Dorn, to be Deputy Director of the Office of Management and Budget.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### THE JUDICIARY

David L. Bunning, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

James E. Gritzner, of Iowa, to be United States District Judge for the Southern District of Iowa.

Richard J. Leon, of Maryland, to be United States District Judge for the District of Columbia.

#### EXECUTIVE OFFICE OF THE PRESIDENT

Nancy Dorn, of Texas, to be Deputy Director of the Office of Management and Budget.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators allowed to speak therein for a period not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader.

#### TEMPORARY UNEMPLOYMENT COMPENSATION ACT OF 2001

Mr. DASCHLE. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3090, that all after the enacting clause be stricken, that the text of the substitute amendment which is at the desk be substituted in lieu thereof, the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. BOND. Reserving the right to object, I will not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2896) was agreed to as follows:

(Purpose: To provide for a program of temporary extended unemployment compensation)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Temporary Extended Unemployment Compensation Act of 2002".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Federal-State agreements.
- Sec. 3. Temporary extended unemployment compensation account.
- Sec. 4. Payments to States having agreements under this Act.
- Sec. 5. Financing provisions.
- Sec. 6. Fraud and overpayments.
- Sec. 7. Definitions.
- Sec. 8. Applicability.

#### SEC. 2. FEDERAL-STATE AGREEMENTS.

(a) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this Act with the Secretary of Labor (in this Act referred to as the "Secretary"). Any State which is a party to an agreement under this Act may, upon providing 30 days written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—Any agreement under subsection (a) shall provide that the State agency of the State will make payments of temporary extended unemployment compensation to individuals—

(1) who—

(A) first exhausted all rights to regular compensation under the State law on or after the first day of the week that includes September 11, 2001; or

(B) have their 26th week of regular compensation under the State law end on or after the first day of the week that includes September 11, 2001;

(2) who do not have any rights to regular compensation under the State law of any other State; and

(3) who are not receiving compensation under the unemployment compensation law of any other country.

(c) COORDINATION RULES.—

(1) TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION TO SERVE AS SECOND-TIER BENEFITS.—Notwithstanding any other provision of law, neither regular compensation, extended compensation, nor additional compensation under any Federal or State law shall be payable to any individual for any week for which temporary extended unemployment compensation is payable to such individual.

(2) TREATMENT OF OTHER UNEMPLOYMENT COMPENSATION.—After the date on which a State enters into an agreement under this Act, any regular compensation in excess of 26 weeks, any extended compensation, and any additional compensation under any Federal or State law shall be payable to an individual in accordance with the State law after such individual has exhausted any rights to temporary extended unemployment compensation under the agreement.

(d) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1)(A), an individual shall be deemed to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because the individual has received all regular compensation available to the individual based on employment or wages during the individual's base period; or

(2) the individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(e) WEEKLY BENEFIT AMOUNT, TERMS AND CONDITIONS, ETC. RELATING TO TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION.—For purposes of any agreement under this Act—